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E-FILED - 1/16/08

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

BAO CHRIS TU LUU, aka
 BAO TU LUU, aka CHRIS LUU,

Plaintiff,

v.

PAUL CLEMENT, Acting Attorney General
 of the United States;
 MICHAEL CHERTOFF, Secretary,
 Department of Homeland Security;
 DAVID N. STILL, District Director,
 San Francisco, U.S. Citizenship and Immigration
 Services;
 EMILIO GONZALEZ, Director, U.S.
 Citizenship and Immigration Services;
 ROBERT S. MUELLER, III, Director,
 Federal Bureau of Investigation,

Defendants.

No. C 07-4493 RMW

**STIPULATION TO DISMISS and
~~[PROPOSED]~~ ORDER**

Plaintiff, by and through his attorney of record, and Defendants, by and through their attorneys
 of record, hereby stipulate, subject to the approval of the Court, that this action be remanded
 pursuant to 8 U.S.C. 1447 (b) to the United States Citizenship and Immigration Services
 ("USCIS") with an order that USCIS adjudicate Plaintiff's Naturalization Application ("Form N-
 400") within 30 days after approval of this stipulation by the Court.

Each of the parties shall bear their own costs and fees.

Stipulation to Dismiss
 C07-4493 RMW

1 Dated: January 11, 2008

Respectfully submitted,

2 JOSEPH P. RUSSONIELLO
3 United States Attorney

4 /s/
5 ILA C. DEISS
6 Assistant United States Attorney
7 Attorneys for Defendants

8 Dated: January 11, 2008

9 /s/
10 GABRIEL D. JACK
11 Attorney for Plaintiff

12 **ORDER**

13 Pursuant to stipulation, IT IS SO ORDERED.

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15 Date: 1/16/08

Ronald M. Whyte

16 RONALD M. WHYTE
17 United States District Judge
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